

## UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America

v.

RUBEN RENE HUERTA

Case No. SA-18-MJ-1348-001

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 2018 - August 2018 in the county of Bexar in the  
Western District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 2252A(a)(2)

Did knowingly receive any child pornography, using any means and facility of interstate and foreign commerce.

PENALTIES: Mandatory minimum 5 years imprisonment, Maximum 20 years imprisonment, 5 years to LIFE supervised release, \$250,000 fine, \$5,000 JVT assessment, \$100 mandatory special assessment, Restitution and Forfeiture.

This criminal complaint is based on these facts:

SEE AFFIDAVIT

☒ Continued on the attached sheet.

*Complainant's signature*

Jeff Allovio, Task Force Officer

*Printed name and title*

- ☒ Sworn to before me and signed in my presence.  
☐ Sworn to telephonically and signed electronically.

Date:

10/30/2018

*Judge's signature*

Elizabeth S. Chestney, U.S. Magistrate Judge

*Printed name and title*City and state: San Antonio, Texas

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Jeffrey M. Allovio, being duly sworn, depose and say that:

1. I am a Federal Task Force Officer (TFO) assigned to the Federal Bureau of Investigation ("FBI") on the San Antonio Child Exploitation Task Force ("SACETF") in the San Antonio Division of the FBI. I have been a Special Agent and Supervisory Special Agent of the FBI from the period of 1983 to 2017 and formerly supervised crimes against children investigation and child pornography investigations. I am currently employed as a Deputy in the Criminal Investigations Division of the Bexar County Sheriff's Office assigned to the SACETF. In my capacity as a member of the SACETF, I am assigned to the Violent Crimes against Children Section and as such, I investigate crimes against children, including the trafficking and possession of child pornography and the sexual exploitation of children. I have received particularized training in the investigation of computer-related crimes, peer-to-peer computer networking, and online (i.e. Internet based) crimes against children. I have been involved in numerous investigations of individuals suspected of producing, distributing and receiving child pornography and have participated in the execution of numerous search warrants which have resulted in the seizure of multiple items of child pornography. I have had the occasion to become directly involved in investigations relating to the sexual exploitation of children and have gained experience in the conduct of such investigations through formal training and on-the-job training.

2. This affidavit is being submitted in support of a Criminal Complaint for **RUBEN RENE HUERTA**.

3. The factual information supplied in this affidavit is based upon your Affiant's own investigation of this matter, as well as information provided by other law enforcement officers. Since this affidavit is submitted for the purpose of securing an arrest warrant, it does not include every fact known to the affiant concerning this investigation. The affiant has set forth facts that he believes establish probable cause to believe that **RUBEN RENE HUERTA (HUERTA)**, has violated the provisions of Title 18, U.S.C., Section 2252A – Receipt and Distribution of Child Pornography.

4. The above captioned case was opened based on information that was originally provided to the Bexar County Sheriff's Office (BCSO), San Antonio, Texas, from the National Center for Missing and Exploited Children (NCMEC). On or about September 27, 2018, TFO Jeffrey M. Allovio, assigned to the FBI San Antonio Child Exploitation Task Force, met with Investigator Tony Kobryn, BCSO, and obtained NCMEC Cyber Tipline Report 38624188. The Report reflected that approximately 42 image and video files associated with child pornography were derived from a Tumblr site with the Uniform Resource Locator (URL) named "nastydaddysblog.tumblr.com" that were posted on this site during the time frame of June 2018 to August 2018. (Tumblr is a microblogging and social networking website that allows users to post multimedia and other content to short-term blog posts.) The Report indicated that the Tumblr site had the following information:

URL:	nastydaddysblog.tumblr.com
Email Address:	<u>vigo94900@gmail.com</u>
Screen/User name:	nastydaddysblog

5. On or about October 2, 2018, TFO Allovio reviewed some of the files affiliated with this Tumblr site. The files contained images and videos associated with child pornography that included prepubescent females. The image and video files generally include female children between the ages of 5-10 years of age involving sexual acts and the graphic display of genitalia. The acts included as adult penis inserted into a prepubescent child's vagina, an erect penis placed in a child's mouth, a child being ejaculated on, and a penis inserted into a boy's anus.

6. The internet activity for this Tumblr site account was traced to two locations. The first location was a residence in San Antonio, Texas, where HUERTA resides. The second location was a LaQuinta Inn in San Antonio, Texas, where Huerta is employed as the night desk clerk.

7. On October 24, 2018, a federal search warrant was executed at the LaQuinta Inn where HUERTA is employed for the person, telephone, and vehicle of HUERTA, for evidence of child pornography. Simultaneously, the federal search warrant was also executed at HUERTA's residence in San Antonio, Texas, for evidence of child pornography.

8. On October 24, 2018, Ruben HUERTA was interviewed at the LaQuinta Inn by the SACETF personnel, to include an FBI agent and a deputy with the BCSO. HUERTA admitted to creating

and operating the Tumblr site identified as “nastydaddysblog.” He used both his mobile telephone and laptop computer (located at his residence) to access and utilize this Tumblr account to view, receive, and distribute child pornography. He used the Internet service at his residence and at the LaQuinta Inn for this purpose. He obtained these child pornography images and videos from other Tumblr and Dropbox sites. His primary purpose in establishing and using these accounts was for the purpose of receiving and distributing child pornography, to include the use of child pornography in role playing scenarios involving the molestation of children. HUERTA disclosed that he used other Internet applications and methods to include KIK Messenger, the dark web/TOR browser, Russian websites, and Mobile Links Chat Lines to receive and distribute child pornography and to role play in regard to his sexual interest in children. Further, HUERTA is a former Bexar County detention officer (1993-1995) and former San Antonio Park Police Officer (1995-2009) and used his former badge numbers as passcodes for his mobile telephone and vault application where he maintained child pornography.

9. During the course of the investigation, law enforcement agents located HUERTA’s mobile telephone, performed an initial onsite review, and located evidence that the telephone contained child pornography. During the search of HUERTA’s residence, law enforcement agents located crystal methamphetamines in HUERTA’s bedroom. HUERTA expressed that he began using crystal methamphetamines and accessing child pornography after he was terminated from the San Antonio Park Police in order to receive a “rush” and because the material was “Taboo.”

#### **Application**

10. Based on the aforementioned facts, your Affiant respectfully submits that there is probable cause to believe that on or about the period of June 2018 to August 2018, **RUBEN RENE HUERTA**, did knowingly receive and distribute child pornography using a means and facility of interstate and foreign commerce, shipped and transported in and affecting interstate commerce by any means, including by computer, in violation of Title 18, United States Code, Section 2252A(a)(2). Your affiant respectfully requests that the Court issue an arrest warrant based on the information

provided in this affidavit.



Jeffrey M. Allovio, Task Force Officer  
Bexar County Sheriff's Office  
FBI San Antonio Crimes Against Children Task Force

Sworn to and subscribed before me this 30 day of October 2018.



THE HONORABLE ELIZABETH S. CHESTNEY  
UNITED STATES MAGISTRATE JUDGE  
WESTERN DISTRICT OF TEXAS